

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TERA HARRIS,

Plaintiff,

v.

CITY OF PORTLAND POLICE
DEPARTMENT, et al.,

Defendants.

No. 3:15-cv-00853-HZ

OPINION & ORDER

Tera Harris
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Pro Se Plaintiff

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HERNÁNDEZ, District Judge:

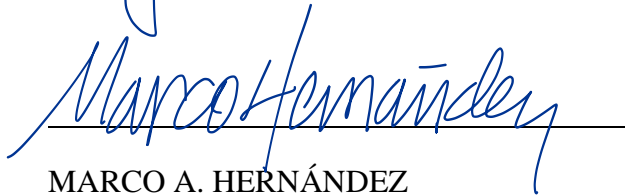
Before the Court is County Defendants’ Motion for Clarification of Summary Judgment Order [109]. The Court previously denied County Defendants’ summary judgment motion as to Plaintiff’s excessive force claim [107]. County Defendants also moved for summary judgment on Plaintiff’s more generalized litany of complaints, including claim that they put her in the “hole” for thirty days, would not let her shower or use her phone, and fed her spoiled sack lunches. Am. Compl. 9; Cty. Defs’. Mot. for Clarification 2, ECF 109. Now, County Defendants renew their arguments that Plaintiff failed to show that Deputies Muth and Hudson were personally involved in these aspects of her custody and that her bare allegations were insufficient to raise a genuine issue of material fact as to these claims. Cty. Defs’. Mot for Clarification 2. Plaintiff did not respond to County Defendants’ motion for summary judgment regarding this issue in her reply. Further, Plaintiff was given fourteen days to respond to the motion at issue and she has failed to do so. Accordingly, the Court finds that Plaintiff has failed to demonstrate that County Defendants were personally involved in the conditions of confinement that she complains of and she has not raised a genuine issue of material fact regarding this issue. The

Court, therefore, grants County Defendants' Motion for Summary Judgment on the portions of Plaintiff's § 1983 claim under Count III raised in their Motion for Clarification.

CONCLUSION

For the reasons discussed above, County Defendants' Motion for Clarification of Summary Judgment Order [109] is granted; County Defendants' Motion for Summary Judgment [59] is granted in part.

Dated this 5 day of January, 2017.

A handwritten signature in blue ink, reading "Marco Hernández", is written over a horizontal line.

MARCO A. HERNÁNDEZ
United States District Judge